



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,944	07/23/2003	Jed D. Griffin	42P17324	9922

8791 7590 12/29/2006  
BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
12400 WILSHIRE BOULEVARD  
SEVENTH FLOOR  
LOS ANGELES, CA 90025-1030

EXAMINER
----------

TSE, YOUNG TOI

ART UNIT	PAPER NUMBER
----------	--------------

2611

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/29/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

58

## Office Action Summary

Application No.

10/625,944

Applicant(s)

GRIFFIN ET AL.

Examiner

YOUNG T. TSE

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-10,12-21,23-25 and 27-33 is/are rejected.
- 7) ☒ Claim(s) 3,11,22 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20040521 and 20050307</u> .                                   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because the numeral number "218" shown in Fig. 11 should be "332" as shown in Fig. 10. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The abstract of the disclosure is objected to because the term "Other embodiments are described and claimed." in line 5 of the abstract should be deleted. Correction is required. See MPEP § 608.01(b).

3. The disclosure is objected to because of the following informalities:

At page 2, lines 4-7, the Applicants are requested to update the application No. 10/625,945 including the filing date of the application filed July 23, 2003.

At page 16, lines 12-16 and 26-29 and page 17, lines 1-3 and 11-15, the description of Q1 and Q2 at times t3, t4 and t6 does not correspond to the waveforms shown in Fig. 11.

Appropriate correction is required.

### ***Claim Objections***

4. Claims 7 and 12-33 are objected to because of the following informalities:

In line 2 of claims 7 and 13, "3/4" should be "a ¾".

In claim 12, lines 4-5, "the data output signal" should be "a data output signal" since it is different than "the data output signal" as recited in claim 1 because claim 12 is directly related to Fig. 12 while claim 1 is directly related to Fig. 3 or Fig. 4.

In claim 14 (lines 2 and 4), claim 15 (line 5, first occurrence), claim 17 (line 2), claim 22 (lines 2 and 3 (both occurrences)), claim 23 (line 2, both occurrences), claim 26 (lines 3-4), claim 27 (lines 1-2 and 5 (both occurrences)), and claim 28 (lines 3-4, 9, 11, and 11-12), the term "cycle encoded signal" should be "full cycle encoded signal" to

Art Unit: 2611

better describe the present invention since "a full cycle encoded signal" represents the cycle of the CES (or CCES) shown in Fig. 5 while "a cycle encoded signal" or "a data time segment" represents one of the timing segments 1-8 shown in Fig. 5, wherein each data time segment is a bit of "1" or "0".

In claim 27, lines 2 and 3, the terms "end of the data time segment" and "the cycle encoded" should be "an end of the data time segment" and "the full cycle encoded signal", respectively.

As mentioned earlier in claim 28 to change "cycle encoded signal" to "full cycle encoded signal", claim 30 should be canceled since the claimed limitation of claim 30 is already included in claim 28.

Wherein claims 16, 18-21 and 24-25 are directly or indirectly depended on the independent claim 14.

Wherein claims 29 and 31-33 are directly depended on the independent claim 28.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 2, 6, 8, 16-21, 24-25, 27 and 31-32 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains

subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The configurations of claims 2, 6, 8, 16-21, 24-25, 27 and 31-32 do not correspond to the disclosure of the drawings as described in the specification. For example, the claimed limitations recited in claims 2, 6, 16, 19, 24, 27 and 31 do not correspond to any of the waveforms shown in Figs. 5-7, 11 and 13 as described in the specification.

Claim 8 depends on claim 3 which depends on claim 1 is directly related to Fig. 4 only. However, the claimed limitation of "the first flop-flop is clock on a rising edge and the second flip-flop is clocked on a falling edge" is shown in Fig. 10 only, not Fig. 4, as described in the specification. Also see claims 25 and 32.

Claim 17 depends on claim 14 and further comprising "a receiver ... to provide a data output signal which recovers data from another cycle encoded signal" does not shown in any of the drawings and described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 4-10, 12-13, 15, 17-21, 23-25 and 27-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 4, 12, 23 and 28 are vague and indefinite because the logic circuit recited in the claims lacks connection or cooperation with the delay circuit. Also see claim 17, wherein the delay circuit and the logic circuit also lack connection or cooperation with the initial receiving circuit.

The claimed limitations recited in claims 6, 15, 19, 24, 27 and 31 are not understood.

In claim 20, line 2, the term "the first and second flip-flops" is vague and indefinite because it is a first time introduced.

Wherein claims 5 and 7-10 are directly depended on claim 4.

Wherein claim 13 is directly depended on claim 12.

Wherein claims 18 and 21 are directly depended on claim 17.

Wherein claim 25 is directly depended on claim 23.

Wherein claims 29-30 and 32-33 are directly depended on claim 28.

### ***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-2 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Pliffner (U.S. Patent No. 5,623,518).

Pliffner discloses a system in each of Figs. 2A to 2D, wherein each system comprises a transmitter section and a receiver section. In Fig. 2A, the transmitter section comprises a CPU 30, a D/A converter 32, a BPS filter 34 and a TFA transformer 36 and the receiver section comprises a TFE transformer 42, a BPE filter 40, a COMP comparator 38 and the CPU 30.

With respect to claims 1 and 14-15, the receiver section to receive a full cycle encoded signal 10 as shown in Fig. 1A in which data is represented in data time segments and no data time segment has more than one cycle, and provides a data output signal responsive to the full cycle encoding signal. See column 6, lines 38-52.

With respect to claims 2 and 16 as shown in Fig. 1A, clearly, wherein within some of the data time segments the full cycle encoded signal is the inverse of the cycle encoded signal within others of the data time segments, and wherein within some of the data time segments the full cycle encoded signal constitutes one cycle and within others of the data time segments the full cycle encoded signal constitutes a half cycle.

### ***Allowable Subject Matter***

11. Claims 3 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. Claims 22 and 26 would be allowable if rewritten to overcome the objection(s) set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.



Art Unit: 2611

13. Claims 4-5, 7, 9-10, 12-13 and 23 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

14. Claims 28-30 and 33 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Boykin is related to an apparatus and method for coherent phase demodulation of a binary phase shift keying carrier includes sequentially processing plus and minus polarity samples of a plurality carrier segments occurring within each carrier data symbol.

Walker is related to a communication system which is capable of transmitting binary data in a reliable and efficient way.

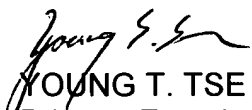
Boles is related to a decoding circuit for Manchester-encoded data and having a synchronously adjustable clock.

Art Unit: 2611

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOUNG T. TSE whose telephone number is (571) 272-3051. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
YOUNG T. TSE  
Primary Examiner  
Art Unit 2611